

MESSAGE NO: 1157303

MESSAGE DATE: 06/06/2011

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-588-201

EFFECTIVE DATE: 11/09/1988

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY SCOPE RULING ON BALL BEARINGS AND PARTS THEREOF FROM JAPAN (A-588-201)

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM AISIN HOLDINGS OF AMERICA. COMMERCE ISSUED A FINAL SCOPE RULING ON 05/12/2011 THAT AISIN HOLDINGS OF AMERICA'S WORM ASSEMBLY AND SEAT TRACK ROLLER ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING BALL BEARINGS AND PARTS THEREOF FROM JAPAN (A-588-201).

2. COMMERCE DETERMINED THAT AISIN HOLDINGS OF AMERICA'S WORM ASSEMBLY DOES NOT INCORPORATE BALLS AS THE ROLLING ELEMENT; RATHER, IT INCORPORATES DISCS. THE LACK OF BALLS AS A ROLLING ELEMENT ALONE INDICATES ADEQUATELY THAT THE WORM ASSEMBLY IS NOT A BALL BEARING. THEREFORE, AISIN HOLDINGS OF AMERICA'S WORM ASSEMBLY IDENTIFIED AS PART NUMBER 432715-10150 IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM JAPAN.

COMMERCE ALSO DETERMINED THAT AISIN HOLDINGS OF AMERICA'S SEAT TRACK ROLLER'S LACK OF AN INNER AND OUTER RACE, OR AN INNER AND OUTER RING, THAT ROTATE WITH RESPECT TO EACH OTHER INDICATES THAT THE SEAT TRACK ROLLER IS NOT A BALL BEARING. THEREFORE, AISIN HOLDINGS OF AMERICA'S SEAT TRACK ROLLERS IDENTIFIED AS PART NUMBERS 435207-10120, 435207-10110, 435207-1010, AND 435-20110070 ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM JAPAN.

3. EFFECTIVE 11/09/1988, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION OF AISIN HOLDINGS OF AMERICA'S WORM ASSEMBLIES AND AISIN HOLDINGS OF AMERICA'S SEAT TRACK ROLLERS IDENTIFIED IN PARAGRAPH 2.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO AISIN HOLDINGS OF AMERICA'S WORM ASSEMBLIES AND AISIN HOLDINGS OF

AMERICA'S SEAT TRACK ROLLERS IDENTIFIED IN PARAGRAPH 2.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF AISIN HOLDINGS OF AMERICA'S WORM ASSEMBLIES AND AISIN HOLDINGS OF AMERICA'S SEAT TRACK ROLLERS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/09/1988.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF BALL BEARINGS AND PART THEREOF FROM JAPAN NOT COVERED BY PARAGRAPH 2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:CC).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party